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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/654,926

09/05/2003

Hiroshi Mori

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38834

7590

10/17/2008

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EXAMINER

BENOIT, ESTHER

ART UNIT

PAPER NUMBER

2442

MAIL DATE

DELIVERY MODE

10/17/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/654,926	Applicant(s) MORI ET AL.	
	Examiner ESTHER BENOIT	Art Unit 2442	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 9/5/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/5/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-8 are pending in this application. A Preliminary Amendment was filed on 9/5/2003 to amend claims 5-8. Claims 1-8 are presented for examination.

Specification

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The specification fails to provide a clear linkage between the functions of the means plus function limitations of claim 1 and the corresponding structure that performs those functions. The specification appears to merely refer to the means as the means and to show these means as "boxes" in element 20 of Figure 2. Accordingly, the applicant is required to state on the record the structure that corresponds to the various means plus function limitations of the claims.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Greta, Jr. (6,076,952).

With respect to claim 1, Gretta discloses a data acquisition means for reading data from field devices connected to a fieldbus (Col. 10, lines 8-16) description means for writing data read by said data acquisition means to definition files according to a predetermined format to create definition files that define the way the data of said field devices is displayed (Col. 10, lines 45-67) generation means for interpreting said definition files wherein data is written to generate display data (Col. 10, lines 59-67) and display means for displaying said generated display data on a personal computer on a network (Col. 10, lines 21-28)

With respect to claim 2, Gretta discloses the definition files are provided on a field device basis (Col. 10, lines 21-28)

With respect to claim 3, Gretta discloses the definition files define the way the diagnostic parameters of said field devices are displayed and said display means displays the diagnostic parameters of said field devices and the statuses thereof according to definitions provided in said definition files (Col. 4, lines 38-48)

With respect to claim 4, Gretta discloses the definition files are provided on a field device basis, each of said definition files defines the way the diagnostic parameters of each of said field devices, and said display means separately displays the diagnostic parameters of a plurality of field devices and the statuses thereof on a field device basis according to definitions provided in said definition files (Col. 4, lines 38-48)

With respect to claim 5, Gretta discloses the definition files define under what conditions alarms should be displayed and said display means displays alarms present in said field devices according to definitions provided in said definition files (Col. 34, lines 44-50)

With respect to claim 6, Gretta discloses the display means has an area for setting an update interval at which said data acquisition means reads data from said field devices and said data acquisition means reads data from said field devices at said update interval set in said update interval setting area (Col. 34, lines 15-21)

With respect to claim 7, Gretta discloses the update interval setting area is provided with a refresh button that allows said data acquisition means to read data from said field devices at a desired point in time, and said data acquisition means reads data from said field devices at said desired point in time set using said refresh button (Col. 23, line 60)

With respect to claim 8, Gretta discloses the display unit comprises a definition means for defining diagnostic parameters to be displayed on a field device basis, wherein said description means writes to said definition files according to definitions provided in said definition means (Col. 10, lines 45-67)

Conclusion

Art Unit: 2442

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Esther Benoit whose telephone number is 571-270-3807. The examiner can normally be reached on Monday through Friday between 7:30 a.m and 5 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Andrew Caldwell/
Supervisory Patent Examiner, Art
Unit 2442

E.B.
October 9, 2008